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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Luis A. Urenda-Bustos,

Petitioner,

v.

Jerry Howell, *et al.*,

Respondents.

Case No. 2:18-cv-01073-JCM-DJA

**Unopposed Motion for an
Extension of Time in which to file
Opposition to Motion to Dismiss
(ECF No. 60)**

(Second Request)

Petitioner Luis A. Urenda-Bustos moves for an extension of time of thirty (30) days, up to and including February 23, 2022, to file his Opposition to Respondents' Motion to Dismiss. Respondents do not oppose this request.

1 **POINTS AND AUTHORITIES**

2 1. On July 16, 2021, Mr. Urenda-Bustos filed his Fourth Amended Petition
3 in this case.¹ The filing followed Mr. Urenda-Bustos staying his case and returning
4 to state court to exhaust claims.² On December 27, 2021, Respondents filed a Motion
5 to Dismiss.³ On January 10, 2022, undersigned counsel requested and was granted
6 a fourteen (14) day extension to file his opposition to the motion to dismiss.⁴ Counsel
7 underestimated conflicting responsibilities and, as a result and for the reasons
8 detailed below, is now forced to seek an additional thirty (30) day extension, or until
9 February 23, 2022, to file his opposition to Respondents' motion.

10 2. Undersigned counsel's duties and responsibilities in other matters, as
11 detailed below, prevented him from meeting the current deadline. Undersigned
12 counsel has a busy caseload involving both non-capital and capital habeas matters
13 currently pending in Nevada and out-of-state district courts for which he is carrying
14 on various investigations and research and writing assignments.

15 3. Specifically, counsel had to draft a Petition for Rehearing due in the
16 Ninth Circuit on January 27, 2022 in the non-capital habeas matter *Sempier v. Baker*
17 *et al.*, Case No. 20-17249 (D. Nev.). In addition, counsel had to draft an opposition to
18 a motion to dismiss filed on January 18, 2022 in the non-capital habeas matter of
19 *Bautista v. Garrett et al.*, 20-cv-00403-LRH (D. Nev.). Finally, counsel has had to
20 invest a considerable amount of time drafting a reply or traverse due in February of
21 2022 in the capital habeas case *Hernandez v. Gittere et al.*, 09-cv-00545-LRH (D.
22 Nev.).

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25 ¹ ECF No. 19.

26 ² *See* ECF Nos. 44-49.

³ ECF No. 60.

⁴ ECF Nos. 61, 62.

5. Finally, the present request for an extension is unopposed. On January 24, 2022, counsel for Petitioner contacted Deputy Attorney Erica Berrett via email concerning this request for an extension of time. Ms. Berrett has no objection to the request.

Dated this 24th day of January, 2022.

Rene L. Valladares
Federal Public Defender

IT IS SO ORDERED:

Dated: January 28, 2022